

### **REMARKS/ARGUMENTS**

The Applicant originally submitted Claims 1-20 in the application. In a previous response, Claim 2 was canceled without prejudice or disclaimer. In the present response, the Applicant has not amended, canceled, or added any claims. Accordingly, Claims 1 and 3-20 are currently pending in the application.

#### **I. Rejection of Claims 1 and 4-7 under 35 U.S.C. §103**

The Examiner has rejected Claims 1 and 4-7 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0110476 by Aihara (hereinafter "Aihara") in view of an article entitled, "Visualizing Application Behavior on Superscalar Processors," IEEE, 10/1999 by Stolte, *et al.* (hereinafter "Stolte"). The Applicant respectfully disagrees since the cited portions of the combination of Aihara with Stolte, as applied by the Examiner, does not teach or suggest each and every element of independent Claim 1. More specifically, the cited portions of the cited combination does not teach or suggest a graphical user interface (GUI) for receiving user input to select one instruction address nor does the combination teach or suggest a designator to denote that a corresponding designated instruction address will proceed to a succeeding stage in a processor pipeline during a next clock cycle.

The Examiner recognizes that Aihara does not explicitly teach that a screen comprises a graphical user interface (GUI) for receiving user input to select one of the instruction address and asserts that Stolte cures this deficiency of Aihara because Stolte teaches a pipeline visualization system that includes a GUI for user manipulation of the pipeline instructions. (*See* Final Rejection of January 22, 2009, page 2.) Additionally, the Examiner asserts that Stolte's pipeline visualization

system is considered to allow user selection of the pipeline instruction sequences in a buffer by interacting with the pipeline view. The Examiner cites Fig. 2 of Stolte for this assertion. (See Final Rejection of January 22, 2009, page 11.) Fig. 2 of Stolte shows a pipeline view showing all instructions in a pipeline at a particular point in time. Dependencies between instructions in the pipeline are displayed as yellow lines appearing between two instructions in the display. A large number of dependencies may be present in the pipeline view and the user can selectively filter or disable the dependencies feature by selecting with a mouse an instruction for which dependencies should be drawn. (See, e.g., first paragraph in the left hand column of page 5 of Stolte.) Thus, the cited portion of Stolte teaches a pipeline view of many instructions at a particular time can be displayed along with dependencies between instructions in the pipeline view which the user can select or deselect.

As such, the cited portions of Stolte do not teach or suggest a GUI for receiving user input to select one of the instruction addresses as recited in independent Claim 1. On the contrary, the cited portions of Stolte teach a group of instructions are displayed to which a user can select or deselect a dependency between a pair of instructions. Therefore, the cited portions of Stolte, as applied by the Examiner, do not cure the deficiencies of Aihara.

Citing paragraphs [0062], [0064], [0074], and [0076], the Examiner asserts that Aihara teaches a designator to denote that a corresponding designated instruction address will proceed to a succeeding stage in a processor pipeline during a next clock cycle. (See Final Rejection of January 12, 2009, pages 3, 5, and 8.) The cited portions of Aihara teach displaying pipeline stage information and stall information of respective stages. Upon displaying as to which stages respective instructions in execution with the pipeline are located at, stall states of the respective stages are

displayed simultaneously. For example, Fig. 14A confirms that the instructions at address 0x800201ec is at the W stage. (See, e.g., paragraph [0062] of Aihara.) Thus, while the cited portions of Aihara may teach a stage at which instructions in execution in a pipeline are located at and which stages are stalled, the cited portions of Aihara do not teach or suggest a designator to denote that a corresponding designated instruction will proceed to a succeeding stage in a processor pipeline during a next clock cycle. On the contrary, the cited portions of Aihara only teach what stage an instruction is at, not whether it will proceed to a succeeding stage in the processor pipeline during a next clock cycle. As such, the cited portions of Aihara do not teach or suggest a designator to denote that a corresponding designated instruction address will proceed to a succeeding stage in a processor pipeline during a next clock cycle.

For at least the reasons given above, the cited portions of the cited combination of Aihara and Stolte do not teach or suggest every element of independent Claim 1. As such, the cited combination does not establish a *prima facie* case of obviousness of independent Claim 1 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of Claims 1 and 4-7 and allow issuance thereof.

## **II. Rejection of Claims 8-10 and 12-15 under 35 U.S.C. §103**

The Examiner has rejected Claims 8-10 and 12-15 under 35 U.S.C. §103(a) as being unpatentable over Aihara in view of U.S. Patent No. 5,913,052 to Beatty, *et al.* (hereinafter "Beatty"), and further in view Stolte. As established above, the combination of Aihara and Stolte does not provide a *prima facie* case of obviousness for independent Claim 1. Analogously, the cited combination of Aihara and Stolte does not provide a *prima facie* case of obviousness for independent

Claim 8 since Claim 8 also includes the limitations of a GUI that allows a user to select a particular instruction address and assigns a designator to at least one instruction address to denote that a corresponding designated instruction will proceed to a succeeding stage in a processor pipeline during a clock cycle succeeding the clock cycle. As such, the cited combination of Aihara, Beatty, and Stolte does not provide a *prima facie* case of obviousness for independent Claim 8 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner withdraw the §103(a) rejection of Claims 8-10 and 12-15 and allow issuance thereof.

### **III. Rejection of Claims 16-20 under 35 U.S.C. §103**

The Examiner has rejected Claims 16-20 under 35 U.S.C. §103(a) as being unpatentable over Aihara in view of Beatty. As established above, the cited combination of Aihara and Beatty does not provide a *prima facie* case of obviousness for independent Claim 8. Analogously, for the same reasons, the cited combination does not provide a *prima facie* case of obviousness for independent Claim 16 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner withdraw the §103 rejection of Claims 16-20 and allow issuance thereof.

### **IV. Rejection of Claim 3 under 35 U.S.C. §103**

The Examiner has rejected Claim 3 under 35 U.S.C. §103(a) as being unpatentable over Aihara in view of Stolte, and further in view of U.S. Patent Application Publication No. 2002/0130871 by Hill, *et al.* (hereinafter "Hill"). As established above, the cited combination of Aihara and Stolte does not provide a *prima facie* case of obviousness for independent Claim 1. Hill has not been cited to cure the above-noted deficiencies of the cited combination of Aihara and Stolte

but to teach a pop-up window. As such, the cited combination of Aihara, Stolte, and Hill does not provide a *prima facie* case of obviousness of independent Claim 1 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of Claim 3 and allow issuance thereof.

**V. Rejection of Claim 11 under 35 U.S.C. §103**

The Examiner has rejected Claim 11 under 35 U.S.C. §103(a) as being unpatentable over Aihara in view of Beatty, further in view of Stolte, and still further in view of Hill. As established above, the cited combination of Aihara, Beatty, and Stolte does not provide a *prima facie* case of obviousness for independent Claim 8. Hill has not been cited to cure the above-noted deficiencies of the cited combination of Aihara, Beatty, and Stolte but to teach a pop-up window. As such, the cited combination of Aihara, Beatty, Stolte, and Hill does not provide a *prima facie* case of obviousness for independent Claim 8 and Claims that depend thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of Claim 11 and allow issuance thereof.

## **VI. Conclusion**

In view of the foregoing remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1 and 3-20.

The Applicant requests the Examiner to telephone the undersigned agent of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 12-2252.

Respectfully submitted,

**HITT GAINES, PC**

A handwritten signature in black ink, appearing to read "Steven J. Hanke".

Steven J. Hanke  
Registration No. 58,076

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P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800